

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA                          )  
    )  
    )  
v.    )         Criminal No. 23-253  
    )  
MICHAEL RODICH                                    )

**ORDER OF COURT**

AND NOW, this 9<sup>th</sup> day of September, 2024, upon consideration of Defendant's pro se Motion to Dismiss Count Five of Indictment (Docket No. 35), IT IS HEREBY ORDERED that said Motion is DENIED, as such filing was made pro se while Defendant is represented by counsel in this case. *See United States v. Turner*, 677 F.3d 570, 578 (3d Cir. 2012) ("Pro se litigants have no right to 'hybrid representation' because '[a] defendant does not have a constitutional right to choreograph special appearances by counsel.' ") (quoting *McKaskle v. Wiggins*, 465 U.S. 168, 183 (1984) (no constitutional right to hybrid representation); *see also United States v. D'Amario*, 268 F. App'x 179, 180 (3d Cir. 2008) ("The Constitution does not confer a right to proceed simultaneously by counsel and pro se, and the District Court was not obligated to consider [the defendant's] pro se motions in light of his being represented by counsel on direct appeal.").

IT IS FURTHER ORDERED that the submission of pro se filings by an individual represented by counsel is not permitted by this Court. As Defendant is represented by counsel, any future filings are to be made solely through counsel of record and filed with the Office of the Clerk of Court for the Western District of Pennsylvania.

s/ W. Scott Hardy  
W. Scott Hardy  
United States District Judge

cc/ecf: All counsel of record

Michael Rodich (via U.S. mail)  
#90428-510  
Butler County Prison  
202 S. Washington Street  
Butler, PA 16001